

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
)	
v.)	Criminal No. 03-882-MBB
)	
ROMAN VALDMA,)	
Defendant.)	
_____)	

**ASSENTED TO MOTION FOR LEAVE TO MODIFY SOURCE
OF SECURITY FOR DEFENDANT’S APPEARANCE BOND**

The Defendant, Roman Valdma (“Valdma”), moves for leave to modify the source of security for the appearance bond in the above-captioned matter. Specifically, Valdma requests the Court discharge a \$50,000 mortgage on property located at 137 Chiswick Road, Unit 2, Boston, Massachusetts (“137 Chiswick Road”) and terminate the accompanying escrow agreement. As consideration, Valdma seeks leave to execute a \$50,000 mortgage and escrow agreement on property located 2 La Rose Place, Unit 25, Boston, Massachusetts (“2 La Rose Place”). As grounds therefor, Valdma states the following:

1. On August 8, 2003, the Court issued an Order Setting Conditions of Release (the “Order”) in the above-captioned matter. The Order included a \$250,000 appearance bond secured by a 20% deposit, i.e., \$50,000.
2. On August 12, 2003, Valdma executed a \$50,000 mortgage on real property located at 137 Chiswick Road in favor of the Clerk of the United States District Court. On August 13, 2003, Valdma executed an accompanying escrow agreement necessary for posting of real property as security for appearance bonds in a criminal case.

3. Valdma has owned real property located at 2 La Rose Place since 2001. Valdma is currently residing at 2 La Rose Place pursuant to the Court's order.

4. Valdma recently refinanced the first mortgage on 2 La Rose Place. At the time Valdma posted security, however, the discharged first mortgage had not been recorded at the Suffolk County Registry of Deeds, resulting in a cloud on the title. Valdma now has documentation of the discharge and, as a result, has sufficient equity in 2 La Rose Place.

5. At the time of his arrest, Valdma was in the process of refinancing a first mortgage on 137 Chiswick Road. The second mortgage to the Clerk of the United States District Court is an obstacle to refinancing the first mortgage. In addition, the accompanying escrow agreement is a bar to selling 137 Chiswick Road.

6. Valdma, therefore, seeks leave to discharge the mortgage and terminate the escrow agreement on 137 Chiswick Road and execute a similar mortgage and escrow agreement on 2 La Rose Place.

7. Counsel for the government, Ms. West, assents to the allowance of this motion.

WHEREFORE, Valdma respectfully request the Court allow his motion.

ROMAN VALDMA
By his attorneys



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Dated: August 20, 2003

CERTIFICATE OF SERVICE

I hereby certify that the above-referenced document was served upon Kimberly P. West, Assistant United States Attorney, United States Attorney's Office, One Courthouse Way, Boston, Massachusetts, 02210, by first-class mail, postage prepaid, on this date.


Matthew D. Thompson